

STUART J. DUNNINGS III
INGHAM COUNTY PROSECUTING ATTORNEY

303 West Kalamazoo Street, Lansing, Michigan 48933
Phone: (517) 483-6108 Fax: (517) 483-6397



LISA McCORMICK
Chief Assistant Prosecutor

JOHN J. DEWANE
Deputy Chief Assistant Prosecutor

MEMO

TO: ALL APA's, SCANNING UNIT, WARRANT UNIT AND DIVERSION
FROM: Lisa McCormick, Chief Assistant Prosecutor
RE: Lansing Police Department - Dale Person
DATE: March 24, 2014

If a case comes in where Lansing Police Department's Dale Person has been identified you must scan in the attached two (2) memos (the Memorandum from Chief Yankowski and the Memo to the Defense Attorney). There are no exceptions. Then the attached memos will be turned over to the defense as part of the regular discovery packets.

APAs ONLY: Please review all your current cases (cases in review through sentencing) to see if Dale Person has been identified. If Person has been you must either contact the Scanning Room with the CTN and they will be responsible for the discovery or you must turn it over yourself immediately.

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LISA McCORMICK
Chief Assistant Prosecutor

JOHN J. DEWANE
Deputy Chief Assistant Prosecutor

MEMO

TO: DEFENSE ATTORNEY
FROM: Lisa McCormick, Chief Assistant Prosecutor
RE: Lansing Police Department – Dale Person
DATE: March 24, 2014

Please be advised that this notice is to inform you that pursuant to Brady v Maryland, 373 US 83 (1963), the Lansing Police Department sustained a complaint regarding truthfulness against Dale Person in October of 2002. Attached please find a Memorandum from Chief Mike Yankowski of the Lansing Police Department dated March 22, 2014 notifying our office of this complaint.



Virg Bernero, Mayor

LANSING POLICE DEPARTMENT

120 West Michigan Avenue

Lansing, MI 48933

Phone: (517) 483-4600

Fax: (517) 377-0162



Mike Yankowski, Chief

MEMORADUM

To: Lansing City Attorney and Ingham County Prosecutor's Office
From: Chief Mike Yankowski
Re: Brady Violations
Date: March 22, 2014

The Lansing Police Department has two current officers who have sustained complaints for truthfulness.

The second is Dale Person from a complaint in October of 2002.

Summary: Person used profanity and inappropriate language which was directed at a citizen. During the investigation of courtesy, Person denied ever using profanity which was a proven untruthful statement.

"Capital City's Finest"

"Police & Community Partnerships for Progress & Excellence"

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Chief Assistant Prosecutor

JOHN J. DEWANE
Deputy Chief Assistant Prosecutor

MEMO

TO: ALL APA's, SCANNING UNIT, WARRANT UNIT AND DIVERSION
FROM: Lisa McCormick, Chief Assistant Prosecutor
RE: Lansing Police Department - Daryl Green
DATE: March 24, 2014

If a case comes in where Lansing Police Department's Daryl Green has been identified you must scan in the attached two (2) memos (the Memorandum from Chief Yankowski and the Memo to the Defense Attorney). There are no exceptions. Then the attached memos will be turned over to the defense as part of the regular discovery packets.

APAs ONLY: Please review all your current cases (in review through sentencing) to see if Daryl Green has been identified. If Green has been you must either contact the Scanning Room with the CTN and they will be responsible for sending out the discovery or you must do so yourself immediately.

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LISA McCORMICK
Chief Assistant Prosecutor

JOHN J. DEWANE
Deputy Chief Assistant Prosecutor

MEMO

TO: DEFENSE ATTORNEY
FROM: Lisa McCormick, Chief Assistant Prosecutor
RE: Lansing Police Department - Daryl Green
DATE: March 24, 2014

Please be advised that this notice is to inform you that pursuant to Brady v Maryland, 373 US 83 (1963), the Lansing Police Department sustained a complaint regarding truthfulness against Daryl Green in June of 2000. Attached please find a Memorandum from Chief Mike Yankowski of the Lansing Police Department dated March 22, 2014 notifying our office of this complaint.



Virg Bernero, Mayor

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120 West Michigan Avenue

Lansing, MI 48933

Phone: (517) 483-4600

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Mike Yankowski, Chief

MEMORADUM

To: Lansing City Attorney and Ingham County Prosecutor's Office
From: Chief Mike Yankowski
Re: Brady Violations
Date: March 22, 2014

The Lansing Police Department has two current officers who have sustained complaints for truthfulness.

The first is Daryl Green from a complaint in June of 2000.

Summary: On June 22, 2000 a subject was arrested by Green for trespassing. Green used force in affecting the arrest, but didn't complete a use of force report. A report was filed by the subject for excessive force. During the interview process with Internal Affairs, Green was not truthful regarding the fact force was used, but quickly recanted his account of the incident to Internal Affairs.

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LISA McCORMICK
Chief Assistant Prosecutor

CATHERINE A. EMERSON
Deputy Chief Assistant Prosecutor

MEMO

TO: Scanning Unit, Warrant Unit and Diversion
FROM: Lisa McCormick, Chief Assistant Prosecutor
RE: Trooper Todd Parsons
DATE: November 5, 2010
CC: All APAs (Memo Only)

If a case comes in where Trooper Parson's has been identified you must scan the attached Memo, Register of Action, and transcript into OnBase and index it as a Supplemental Report. There are no exceptions. Then the report will be turned over to the defense as part of the regular discovery packet.

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Phone: (517) 483-6108 Fax: (517) 483-6397



LISA McCORMICK
Chief Assistant Prosecutor

CATHERINE A. EMERSON
Deputy Chief Assistant Prosecutor

MEMO

TO: Defense Attorney
FROM: Lisa McCormick, Chief Assistant Prosecutor
RE: Trooper Todd Parsons
DATE: October 27, 2010

Please be advised that this notice is to inform you that pursuant to Brady v Maryland, 373 US 83 (1963), Trooper Parsons was charged in the 36th District Court with a Common Law Felony Violation on January 9, 2006. Trooper Parsons pled to Filing a False Police Report, a Misdemeanor on April 25, 2006. I have attached the Register of Actions from the 36th District Court and the transcript of the Plea before the Honorable Joseph Baltimore.

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CRISNET/Incident No.: 80-05

Result: Adjourned:At The Request Of The Court

02/07/2006 **Preliminary Examination** (9:00 AM) (Judicial Officer Randon, Mark)
Parties Present
 Result: Adjourned:At The Request Of The Court
 02/28/2006 **Motion for a Continuance Filed/Signed**
 02/28/2006 **Signed And Filed**
 02/28/2006 **Preliminary Examination** (9:00 AM) (Judicial Officer Randon, Mark)
Parties Present
 Result: Adjourned:At The Request Of The Court
 03/14/2006 **Motion for a Continuance Filed/Signed**
 03/14/2006 **Signed And Filed**
 03/14/2006 **Preliminary Examination** (9:00 AM) (Judicial Officer Blount, Nancy A)
Parties Present
 Result: Adjourned:At The Request Of The Court
 03/28/2006 **Motion for a Continuance Filed/Signed**
 03/28/2006 **Signed And Filed**
 03/28/2006 **Preliminary Examination** (9:00 AM) (Judicial Officer Bradfield, David)
Parties Present
 Result: Adjourned:At The Request Of The Defense
 04/11/2006 **Preliminary Examination** (9:00 AM) (Judicial Officer Langston, Deborah L)
Parties Present
 Result: Adjourned:At The Request Of The Defense
 04/25/2006 **Motion for a Continuance Filed/Signed**
 04/25/2006 **Signed And Filed**
 04/25/2006 **Preliminary Examination** (9:00 AM) (Judicial Officer Baltimore, Joseph N)
Parties Present
 Result: Reduced To Misdemeanor
 04/26/2006 **Motion to Reduce Charge**
 04/26/2006 **Filed**
 05/31/2006 **Pre-Trial** (9:00 AM) (Judicial Officer Baltimore, Joseph N)
Parties Present
 Result: Court Accepted Guilty Plea
 07/11/2006 **Sentencing** (9:00 AM) (Judicial Officer Blount, Nancy A)
Parties Present
 Result: Adjourned:At The Request Of The Court
 09/07/2006 **Motion for a Continuance Filed/Signed**
 09/07/2006 **Signed And Filed**
 09/07/2006 **Appearances by a Retained Attorney Filed**
 09/07/2006 **Sentencing** (9:00 AM) (Judicial Officer Blount, Nancy A)
Parties Present
 Result: Adjourned:At The Request Of The Court
 09/14/2006 **Sentencing** (9:00 AM) (Judicial Officer Archer, Roberta C)
Parties Present
 Result: Adjourned:At The Request Of The Court
 09/15/2006 **Motion for a Continuance Filed/Signed**
 09/15/2006 **Signed And Filed**
 02/01/2007 **To Adjourn**
 02/01/2007 **Signed And Filed**
 02/01/2007 **Motion Hearing** (9:00 AM) (Judicial Officer Randon, Mark)
Parties Present
 Result: Held
 03/08/2007 **United States Supreme Court Affirms**
 03/08/2007 **Filed**
 04/12/2007 **Motion to Assign Counsel Filed/Signed**
 04/12/2007 **Sentencing** (9:00 AM) (Judicial Officer Randon, Mark)
Parties Present
 Result: Adjourned:At The Request Of The Court
 07/17/2007 **Sentencing** (9:00 AM) (Judicial Officer Baltimore, Joseph N)
Parties Present
 Result: Sentenced

RECEIVED by Michigan Court of Appeals 3/25/2010 2:43:54 PM

LIVINGSTON COUNTY PROSECUTOR'S OFFICE

210 S. Highlander Way
Howell, Michigan 48843

(517) 546-1850

Fax: (517) 546-0728

Email: bvaillencourt@co.livingston.mi.us

FAX TRANSMISSION COVER SHEET

To: Joe Finnerty
Ingham County Prosecutor's Office

From: Bill Vaillencourt
Assistant Prosecuting Attorney

FAX #: 517-483-6397

Re: Todd Parsons

Date: October 25, 2010

Number of Pages (including cover sheet): 14

COMMENT:

Feb. 17. 2010 3:13PM

ATTORNEY GENERAL

No. 4292 P. 2

STATE OF MICHIGAN
IN THE 36TH DISTRICT COURT FOR THE CITY OF DETROIT
CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF MICHIGAN,

-v-

TODD PARSONS,

Defendant.

36th District Court No.
06-55282
Third Circuit Court No.
06-100051

PLEA AGREEMENT

BEFORE THE HONORABLE JOSEPH N. BALTIMORE, (P-10399)

Detroit, Michigan -- Tuesday, April 25, 2006

APPEARANCES:

For the People:

Douglas M. Baker (P-24517)
Office of the Attorney General
3030 W. Grand Boulevard, Floor 10
Detroit, Michigan 48202
(313) 618-2234

For the Defendant:

Todd F. Flood (P-58555)
1200 West 11 Mile Road
Royal Oak, Michigan 48067
(248) 547-1032

Reported by:

Jaime Schoenfeld, CSR-6334
Certified Shorthand Reporter
(313) 965-6570

Feb. 17, 2010 3:13PM ATTORNEY GENERAL

No. 4292 P. 3

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Voir Dire by Mr. Flood

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Voir Dire by Mr. Baker (continued)

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E x h i b i t s:Marked:Received:

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(none)

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1 Detroit, Michigan

2 Tuesday, April 25, 2006 - 12:11 p.m.

3
4 THE COURT: People versus Todd Parsons, Case
5 Number 06-55282.

6 Counselors?

7 MR. FLOOD: Good morning, Judge, Todd Flood on
8 behalf of Mr. Parsons.

9 Judge, I believe we've reached a settlement in this
10 case.

11 MR. BAKER: Douglas Baker on behalf of the
12 Attorney General's Office, your Honor. Good morning -- good
13 afternoon.

14 MR. FLOOD: May we approach, your Honor, for one
15 brief moment?

16 THE COURT: Sure.

17 (At 12:11 p.m., side bar)

18
19 (At 12:14 p.m., on the record)

20 MR. FLOOD: Judge, at this time, Mr. Baker is
21 giving my client and myself a Plea & Cooperation Agreement.
22 We're, at this time, willing to accept that agreement. However,
23 Judge, at side bar we had an opportunity to talk to this
24 Honorable Court and place on the record that or I would like to
25 place on the record that at the time of sentencing, when that

Feb. 17, 2010 3:13PM

ATTORNEY GENERAL

No. 4292 P. 5

1 takes place sometime down the future, a Cobb Evaluation, that my
2 client be sentenced to a fine without probation.

3 THE COURT: All right.

4 MR. BAKER: Your Honor, we have provided the Court
5 with a Plea & Cooperation Agreement that we're asking be made
6 part of the court file. And, of course, the agreement speaks for
7 itself. We are not taking the position as to what the sentence
8 ought to be. We, according to the terms of the agreement, want
9 that entirely within the Court's discretion. We are asking that
10 this sentencing be continued until he testifies, at least, at the
11 preliminary exam of Gabriel Seibt and then after that proceed
12 with sentencing. That case has been stayed at the moment. It has
13 no date because of a legal issue on the case that's being
14 appealed to the circuit court. When that legal issue is
15 resolved, it will be back within the 36th District Court for exam
16 and we would ask that the sentencing be scheduled after that.

17 THE COURT: Very well. In connection with the
18 plea agreement that has been properly signed by all parties, I
19 will accept his plea and I'll withhold sentencing until such time
20 it is appropriate that you bring it back to me.

21 MR. FLOOD: Thank you, Judge.

22 There's one thing that I would like to place on the
23 record at this time. I would like Mr. Baker to voir dire my
24 client to a factual basis, Judge. If we can do that.

25 THE COURT: Proceed, Mr. Baker.

1 MR. BAKER: Would you state your name for the
2 record, please?

3 THE DEFENDANT: Todd Parsons.

4 THE COURT: Hold on one moment. I don't believe
5 he has been sworn.

6 MR. FLOOD: No, he wasn't. We better swear him
7 in.

8 THE COURT: Please raise your right hand, sir. Do
9 you swear or affirm to tell the truth?

10 THE DEFENDANT: Yes, sir, I do.

11 THE COURT: Proceed.

12 TODD PARSONS

13 called by the People at 12:15 p.m. and sworn by the Court;
14 testified:

15 VOIR DIRE

16 BY MR. BAKER:

17 Q Mr. Parsons, would you state how you were employed during
18 the evening hours of Friday, June 24th, 2005?

19 A With the Michigan Department of State Police as a state
20 trooper.

21 Q And were you on patrol that evening?

22 A Yes, I was, in the City of Detroit, County of Wayne.

23 Q And who was your partner?

24 A Trooper Gabe Seibt.

25 Q And in the course of the events of that evening did you and

1 Trooper Seibt have occasion to take into custody a man by
2 the name of --

3 A Roosevelt Dean.

4 Q -- Roosevelt Dean?

5 A Yes, sir.

6 Q And in the course of transporting Mr. Roosevelt Dean from
7 the place of arrest did there come a time when Trooper Seibt
8 pulled into an alley?

9 A Yes, there did.

10 Q And what happened with that, when he did that?

11 A He pulled into an alley, it was -- I don't know if it was an
12 alley, specifically it was a drive-in between backyards. At
13 that time, we both exited the vehicle. Trooper Seibt
14 removed Mr. Dean from the vehicle. He was laying prone on
15 the ground, Mr. Dean was. Trooper Seibt stepped over him,
16 un-handcuffed him, stood back up. At that time, I looked
17 around, I heard a dog bark or something, it caught my
18 attention. I looked around. I looked back. Trooper Seibt
19 was spraying Mr. Dean in the face with his pepper spray,
20 departmental issue.

21 Q Was Mr. Dean in any sense fighting or resisting Trooper
22 Seibt at the time you looked around?

23 A At that time, no.

24 Q At any time?

25 A Fighting, resisting, no. Profane, yes.

1 Q Now, had you, before reaching that point in the alley, had
2 you determined that Mr. Dean was wanted on some outstanding
3 arrest warrants?

4 A Yes. He had some misdemeanor warrants out for this court,
5 the 36.

6 Q And just before stopping in the alley where was it, your
7 belief, that you were going?

8 A It was my belief, immediately after arrest, that we were
9 going back to the state police post. Then once we began to
10 -- I realized we were on North I-75. At the time, I was not
11 familiar with the city. I then believed we were going to a
12 precinct to lodge Mr. Dean.

13 Q For whatever you picked him up for?

14 A Yes. For disorderly conduct was what I understood the arrest
15 to be for.

16 Q And that initiated the arrest in Greek Town, here in
17 Detroit?

18 A Yes, sir.

19 Q Then it was after he was taken in the car on route that you
20 learned he had other warrants out?

21 A Yes, sir. I ran him in LEIN on our mobile data computer in
22 the patrol vehicle.

23 Q So you believed that you were taking him to a lockup?

24 A Yes, sir.

25 Q Now, after Trooper Seibt pulled over in the alley and after

1 the Macing of Mr. Dean what happened then?

2 A Trooper Seibt said, "Let's go." We got back in the patrol
3 car and we left the area.

4 Q And did you leave Mr. Dean in the alley?

5 A Yes.

6 Q Now, at that point, did you realize that Trooper Seibt had
7 acted inappropriately if not criminally?

8 A That was my belief that he acted inappropriately.

9 Q And criminally?

10 A Potentially, yes.

11 Q Now, did you file a report with your department accounting
12 for your activities during that period of time that you had
13 Mr. Seibt in your custody?

14 A Mr. Dean in our custody?

15 Q Mr. Dean in your custody, yes, sorry.

16 A As far as a report, do you mean a narrative or are you
17 speaking of our daily observation report --

18 Q Your daily activity log, yes.

19 A Yes.

20 Q And what did you place on that log?

21 A In reference to Mr. Dean?

22 Q Yes.

23 A We placed a property inspection for Greek Town, the Greek
24 Town area.

25 Q In other words, you did not report the contact initially

1 with Mr. Dean on that activity log?

2 A Correct.

3 Q And did Trooper Seibt advise you on that entry on your log?

4 A He did. As we pulled away from the alley area, I had my
5 clipboard up, I turned the computer towards me with Mr.
6 Dean's information on it. I asked Trooper Seibt if he wanted
7 him on the daily, and he said, "No, just carry the PI Greek
8 Town."

9 Q "PI" meaning?

10 A Property inspection.

11 Q So you knew that you were, in effect, incorrectly or falsely
12 making an entry on the activity log?

13 A Correct.

14 Q Now, subsequently did you learn that Mr. Dean had come
15 forward and complained about his treatment at the hands of
16 yourself and Trooper Seibt?

17 A Yes.

18 Q And was there some further discussion and action taken as to
19 the activity log?

20 A Yes. On Saturday, which would have been the 25th, Saturday
21 or Sunday, one of the two days, Trooper Seibt contacted me
22 at home, advised that a complaint had been made. He'd been
23 contacted by Sergeant Simms, the on-duty sergeant. At that
24 time, I told Trooper Seibt that we needed to have Mr. Dean
25 "on paper," on the daily. He said that he understood that,

1 that he already recovered the dailies after turning them in
2 and that they were in his locker at the post, which was
3 unlocked, and that on Monday I could get the dailies from
4 his locker and include Mr. Dean on the daily.

5 Q So you changed the activity log on that day, that Monday?

6 A Yes. Yes, on Monday.

7 Q What new information did you put on the log?

8 A That we had contact with Mr. Dean and investigated him.

9 Q On that log or in any other report did you state, at that
10 time, the activities that you saw Trooper Seibt engaged in?

11 A No, I did not.

12 Q And you knew that, at least at that time, that you were, in
13 effect, hiding those facts from your superiors?

14 A Yes.

15 MR. BAKER: I have no other questions.

16 VOIR DIRE

17 BY MR. FLOOD:

18 Q You gave a statement to the Attorney General's Office,
19 correct?

20 A Yes.

21 Q During the time that you'd spoken with Trooper Seibt did you
22 ever indicate to Trooper Seibt or did Trooper -- strike
23 that.

24 Did Trooper Seibt ever indicate to you that don't
25 worry, he'll take care of this?

1 A Several times.

2 VOIR DIRE

3 BY MR. BAKER, CONTINUING:

4 Q You gave a statement to the Attorney General's Office,
5 correct?

6 A Correct.

7 Q And I'm looking at a memorandum of that statement given to
8 Investigator Dennis Kathlanski (spelled phon.) of our office
9 dated March 31st, 2006?

10 A Correct.

11 Q And you went through the events of that evening with the
12 investigator from our office?

13 A I did.

14 Q And do you state here under oath that that statement is
15 truthful and accurate?

16 A Yes.

17 MR. BAKER: Nothing else.

18 THE COURT: All right.

19 MR. FLOOD: Thank you, Judge.

20 THE COURT: Very well. I'll accept it.

21 MR. FLOOD: Thank you, Judge.

22 MR. BAKER: Thank you.

23 MR. FLOOD: Judge, we'll be back in front of you
24 after the testimony.

25 THE COURT: Very well.

Feb. 17. 2010 3:14PM ATTORNEY GENERAL

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1 MR. FLOOD: Can we adjourn it until after the
2 stay has been lifted; I guess, the preliminary exam is set for
3 the other trooper. I don't know what date that will be.

4 THE COURT: Let's put a date out there.

5 MR. BAKER: Why don't we put a date on there and
6 we'll see how far we are.

7 THE COURT: What date?

8 MR. FLOOD: What about 45, 60 days.

9 THE COURT: I'll put it 30 days, 5/31.

10 (At 12:25 p.m. proceedings are concluded)

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Feb. 17. 2010 3:14PM ATTORNEY GENERAL

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STATE OF MICHIGAN)) SS
COUNTY OF WAYNE)

CERTIFICATE OF COURT REPORTER

I, Jaime Schoenfeld, Certified Court Reporter, do hereby certify that the foregoing pages 1 through 13, inclusive, comprise a full, true and correct transcript of the proceedings and testimony taken in the matter of People versus Todd Parsons, 36th District Court Case No. 06-55282, Third Circuit Court Case No. 06-100051, before the Honorable Joseph N. Baltimore, on Tuesday, April 25, 2006.

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Dated: 9/19/07